

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): John O. Ryan

Assignee: Command Audio Corporation

Title: METHOD AND SYSTEM FOR INFORMATION DISSEMINATION
WITH USER MENU INTERFACE

Serial No.: 08/977,846

Filed:

November 25, 1997

Examiner: B. Gregory

Group Art Unit: 3662

Docket No.: M-2338-3C US

GROUP 3600

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D. C. 20231

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**TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION OVER A PATENT**

Sir:

Petitioner, Command Audio Corporation, a California corporation having a place of business at 101 Redwood Shores Parkway, Suite 100, Redwood City, CA 94065 is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,751,806 and/or Patent 5,406,626. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full



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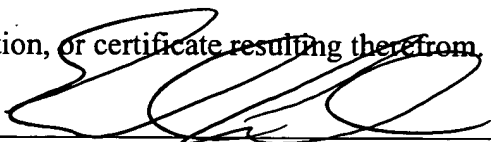
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statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that either of the prior patents later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned (whose title is supplied below) represents that he/she is a representative authorized to sign on behalf of Petitioner. A Certificate for Taking Action accompanies this document.

I declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties including fine or imprisonment or both as set forth under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of the application or this document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom.

8-24-99
DATE


SIGNATURE

Manny Krakaris
TYPED OR PRINTED NAME

Chief Financial Officer
TITLE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John O. Ryan
Assignee: Command Audio Corporation
Title: METHOD AND SYSTEM FOR INFORMATION DISSEMINATION
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Washington, D. C. 20231

**CERTIFICATE FOR TAKING ACTION BY
ASSIGNEE UNDER 37 CFR 3.73(b)**

Sir:

The undersigned representative of the above-identified assignee certifies that the above-identified assignee is the assignee of the entire right, title and interest in the above-identified patent application by virtue of a chain of title from the inventor of the above-identified patent application to the above-identified assignee as shown below:

1. From: John O. Ryan To: Macrovision Corporation The document was recorded in the Patent and Trademark Office at Reel 6471, Frame 0857, or for which a copy thereof is attached.
2. From: Macrovision Corporation To: Command Audio Corporation The document was recorded in the Patent and Trademark Office at Reel 8855, Frame 0751, or for which a copy thereof is attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the above-identified assignee.

I declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties including fine or imprisonment or both as set forth under 18 U.S.C. 1001, and that violations of this

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SER. NO. 08/977,846

paragraph may jeopardize the validity of the application or this document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom.

Signature: _____



Date: _____

8-24-99

Name: Manny Krakaris

Title: Chief Financial Officer